

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By Chairman Scott Mendenhall, on March 23, 2007
at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Scott Mendenhall, Chairman (R)
Rep. Jim Keane, Vice Chairman (D)
Rep. Mike Milburn, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Shannon Augare (D)
Rep. Scott Boggio (R)
Rep. Ernie Dutton (R)
Rep. Kevin T. Furey (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Harry Klock (R)
Rep. Michele Reinhart (D)
Rep. Wayne Stahl (R)
Rep. Bill Thomas (D)
Rep. Kendall Van Dyk (D)

Members Excused: Rep. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Bart Campbell, Legislative Branch
Nancy Kraft, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 312, 3/12/2007; SB 417,
3/12/2007; SJR 15, 3/12/2007
Executive Action: HB 69; HB 141

HEARING ON SB 312

Opening Statement by Sponsor:

00:02:22 Sen. Greg Lind (D), SD 50, opened the hearing on SB 312, Restricting certain credentialing in exchange for medical privileges.

Proponents' Testimony:

00:04:33 Kurt Kubicka, Family Physician, Montana Medical Association

EXHIBIT(buh62a01)

00:10:21 Jim Elliott, Orthopedic Surgeon, Montana Orthopedic Society

00:15:05 Dr. Paul Byorth, Head and Neck Surgeon, Billings, Montana

00:17:53 Dr. David Chamberlain, Butte, Montana

00:21:16 Mike Driscoll, Physician and Radiologist, Butte, Montana

00:23:09 Keith Popovich, St. James Health Care

00:25:03 Mona Jamison, Great Falls Clinic and Central Montana Hospital

00:31:39 Dr. Bob Wynia

EXHIBIT(buh62a02)

00:32:27 Steve Akre, Great Falls Clinic

00:32:38 Jim McLean, Montana Physical Therapy Association

EXHIBIT(buh62a03)

00:32:59 Gloria Hermanson, Montana Association of Ambulatory Surgery Centers, Montana Society of Ophthalmology, and Montana Society of Ear Nose & Throat Surgeons

00:33:20 Lorena Pettet, Montana Physical Therapy Association

Opponents' Testimony:

00:33:51 Bob Olsen, Association of Montana Health Care Providers

EXHIBIT(buh62a04)

00:39:07 John Solheim, Chief Executive Officer (CEO), St. Peter's Hospital

00:41:12 Dennis Salisbury, Family Physician, Butte, Montana

00:45:25 James Kiser, St. James Health Care, Butte, Montana

00:49:08 Jim Paquette, CEO, St. Vincent's Hospital, Billings, Montana

00:50:57 John Flink, Montana Hospital Association; and for Rick Hays, St. Peter's Hospital

EXHIBIT(buh62a05)

Informational Testimony: None

Questions from Committee Members and Responses:

00:51:42 Rep. Thomas
00:52:24 Ms. Jamison
00:53:08 Rep. Dutton
00:53:49 Dr. Elliott
00:56:24 Rep. Van Dyk
00:56:55 Dr. Elliott
00:58:11 Rep. Thomas
00:58:38 Ms. Jamison
01:00:26 Rep. Dutton
01:01:14 Ms. Jamison
01:03:24 Rep. Mendenhall
01:04:28 Dr. Salisbury
01:05:23 Rep. Mendenhall
01:08:54 Mr. Olsen

Closing by Sponsor:

01:10:03 Sen. Lind

HEARING ON SB 417

Opening Statement by Sponsor:

01:14:40 Sen. Roy Brown (R), SD 25, opened the hearing on SB 417, Extend moratorium on specialty hospitals.

Proponents' Testimony:

01:20:16 Bob Olsen, Association of Montana Health Care Providers
EXHIBIT (buh62a06)

01:25:39 Dr. Nicholas Wolter, Chief Executive Officer (CEO),
Billings Clinic

EXHIBIT (buh62a07)

01:31:42 Jim Paquette, CEO, St. Vincent's Hospital, Billings,
Montana

01:34:11 John Goodnow, CEO, Benefis Healthcare, Great Falls,
Montana

01:36:31 John Nordwick, CEO, Bozeman Deaconess Hospital,
Bozeman, Montana

01:40:03 Kelly Evans, CEO, Beartooth Hospital and Health Care,
Red Lodge, Montana

01:43:32 Larry Putnam, CEO, Phillips County Medical Center,
Malta, Montana

Opponents' Testimony:

01:44:42 Jim Elliott, Orthopedic Surgeon, Billings, Montana

EXHIBIT (buh62a08)

01:53:51 Kurt Kubicka, Family Physician, Montana Medical
Association

EXHIBIT (buh62a09)

01:56:53 Dr. Paul Byorth, Head and Neck Surgeon, Billings,
Montana

02:00:12 Dr. David Chamberlain, Butte, Montana

EXHIBIT (buh62a10)

02:01:51 Dr. Mike Driscoll, Butte, Montana

02:03:06 Dr. Keith Popovich, Butte, Montana

02:04:08 Mona Jamison, Great Falls Clinic and Central Montana
Hospital

02:10:45 Gloria Hermanson, Montana Association of Ambulatory
Surgery Centers

EXHIBIT (buh62a11)

02:11:09 Lorena Pettet, Montana Physical Therapy Association

Informational Testimony: None

Questions from Committee Members and Responses:

02:11:40 Rep. Augare

02:12:00 Sen. Brown

02:13:37 Rep. Augare

02:13:49 Ms. Evans

02:17:03 Rep. Dutton

02:17:55 Ms. Evans

02:18:27 Rep. Reinhart

02:19:04 Mr. Olsen

02:19:19 Dr. Wolter

02:21:32 Rep. Dutton

02:21:59 Dr. Wolter

02:24:53 Rep. Thomas

02:26:00 Dr. Elliott

02:29:02 Rep. Reinhart

02:29:15 Dr. Kubicka

02:30:21 Rep. Arntzen

02:31:01 Dr. Wolter

02:33:40 Rep. Keane

02:34:06 Dr. Wolter

02:35:52 Rep. Dutton

02:36:21 Dr. Wolter

02:37:27 Rep. Mendenhall

02:38:12 Dr. Wolter

02:39:48 Rep. Mendenhall

02:41:24 Ms. Evans

02:44:36 Rep. Mendenhall

02:45:08 Dr. Elliott

Closing by Sponsor:

02:46:29 Sen. Brown

02:49:25 Break

HEARING ON SJR 15

Opening Statement by Sponsor:

03:12:54 Sen. Kim Gillan (D), SD 24, opened the hearing on SJR 15, Study impacts of certain services on health care delivery.

EXHIBIT (buh62a12)

Proponents' Testimony:

03:17:51 John Flink, Association of Montana Health Care Providers

03:20:14 Jim Paquette, Chief Executive Officer (CEO), St. Vincent's Hospital, Billings, Montana

03:21:55 John Solheim, CEO, St. Peter's Hospital, Helena, Montana

03:22:52 John Nordwick, CEO, Bozeman Deaconess Hospital Bozeman, Montana

03:23:38 Jani McCall, Billings Clinic

03:24:15 Mike Foster, St. James Health Care, Holy Rosary Health Care, and Wheel Memorial Hospital, Harlowton

Opponents' Testimony:

03:27:16 Jerome Anderson, Yellowstone Physicians Associates, Billings, Montana; and Montana Orthopedic Society

03:31:45 Dr. Paul Byorth, Billings, Montana

03:32:47 Dr. Kurt Kubicka, Montana Medical Association

03:33:29 Mona Jamison, Great Falls Clinic and Central Montana Hospital

03:37:14 Lorena Pettet, Montana Physical Therapy Association

03:38:46 Dr. Jim Elliott, Montana Orthopedics' Society

Informational Testimony: None

Questions from Committee Members and Responses:

03:39:46 Rep. Thomas

03:40:21 Sen. Gillan

03:45:15 Rep. Keane
03:45:22 Sen. Gillan
03:46:02 Rep. Dutton
03:47:44 Sen. Gillan

Closing by Sponsor:

03:48:01 Sen. Gillan

EXECUTIVE ACTION ON HB 69

03:52:03 **Motion/Vote:** Rep. Milburn moved that HB 69 **BE RECONSIDERED**. Motion carried 15-0 by voice vote by those present and voting.

03:52:29 **Motion:** Rep. Milburn moved that HB 69 **DO PASS**.

03:52:40 **Motion:** Rep. Milburn moved that HB 69 **BE AMENDED**.

EXHIBIT(buh62a13)

Discussion:

03:53:23 Bart Campbell
03:56:02 Rep. Arntzen
03:58:06 Mr. Campbell
03:58:18 Rep. Keane
03:58:29 Annie Goodwin

03:58:41 **Vote:** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

03:58:54 **Motion/Vote:** Rep. Milburn moved that HB 69 **DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 141

03:59:33 **Motion:** Rep. Milburn moved that HB 141 **DO PASS**.

03:59:52 **Motion:** Rep. Milburn moved that HB 141 **BE AMENDED**.

EXHIBIT(buh62a14)

Discussion:

04:00:08 Mr. Campbell
04:02:38 Rep. Boggio
04:03:03 Mr. Campbell
04:03:26 Rep. Boggio
04:03:52 Mr. Campbell
04:04:13 Rep. Augare
04:05:08 Mr. Campbell
04:06:38 Rep. Van Dyk

04:08:14 Rep. Keane

04:08:29 Ms. Goodwin

04:08:39 **Vote:** Motion carried unanimously by voice vote. Reps. Windy Boy and Jones voted by proxy.

04:08:57 **Motion:** Rep. Milburn moved that HB 141 **DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Reps. Windy Boy and Jones voted by proxy.

ADJOURNMENT

04:09:29 Adjournment: 12:15 P.M.

REP. SCOTT MENDENHALL, Chairman

NANCY KRAFT, Secretary

SM/nk

Additional Exhibits:

EXHIBIT ([buh62aad.pdf](#))